

Notice of Determination**- 1 -****To:**

Office of Planning and Research
 For U.S. Mail:
 P.O. Box 3044
 Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street
 Sacramento, CA 95814

From:

California Department of Fish and Wildlife (CDFW)
 Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 94534
 Contact: Serge Glushkoff
 Phone: (707) 339-6191

Lead Agency

Alameda County Community Development Agency
 224 W. Winton Avenue, Room 111, Hayward, CA 94544
 Contact: Sandra Rivera
 Phone: (510) 670-5400

SUBJECT: *Filing of Notice of Determination pursuant to Public Resources Code § 21108*

State Clearinghouse Number: #2010082063

Project Title: U.S. Windpower Tap 60 kV Replacement Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2021-042-03 (ITP)]

Project Location: The U.S. Windpower Tap 60 kV Replacement Project (Project) is located in unincorporated Alameda County between the Vasco-Herdlyn 60 kV power line and the Summit Winds Repower Project (Summit Winds) renewable generation facilities in northeast Alameda County, approximately 7.4 miles northeast of the City of Livermore, California at 37°45'42.47"N, 121°40'39.31"W. The U.S. Windpower Tap extends approximately 0.9 mile west and southwest from 4008 Dyer Road, and also south from that address for approximately 0.75 mile, along the east side of Dyer Road. An approximately 1.1-acre staging area will also be established at 3658 Dyer Road (approximately 0.35 mile south of the southernmost work location) for materials and equipment staging and storage for the duration of the Project.

Project Description: The Project includes the upgrade of the existing approximately 1.6-mile-long U.S. Windpower Tap between the Vasco-Herdlyn 60 kV power line and the Summit Winds renewable generation facilities. This work requires replacement of approximately 26 wood poles ranging in height from approximately 45 feet to 60 feet, with wood and light duty steel poles approximately 55 feet to 72 feet tall. Project activities include the use of rubber-wheeled auger trucks, crane, boom, bucket, water, dump, and line trucks and trailers, conductor puller-tensioners, vegetation removal equipment, generators, air compressors, and miscellaneous hand tools. Work areas will generally be located in previously disturbed roadsides; however, up to approximately 750 feet of overland travel will be required to some locations, for a total of approximately 2,000 feet.

The Project will result in temporary impacts to 4.38 acres and permanent impact to 0.003 acres of California tiger salamander (*Ambystoma californiense*) and San Joaquin kit fox (*Vulpes macrotis mutica*) grassland habitat. The Project is expected to result in incidental take of California tiger salamander and San Joaquin kit fox, which are designated as threatened species under CESA. The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

This is to advise that CDFW, acting as the lead agency / a responsible agency] approved the above-described project on 12/23/2021 and made the following determinations regarding the above described project:

1. The project [will / will not] have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
2. An environmental impact report / A negative declaration] was prepared by the lead agency for the original project.
3. Additional mitigation measures [were / were not] made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan [was / was not adopted by CDFW for this project.
5. A Statement of Overriding Considerations [was / was not] adopted by CDFW for this project.
6. Findings were / were not made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment was submitted to CDFW.

Notice of Determination

Responsible Agency statement: The Environmental Impact Report prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:

Stephanie Fong

Signature

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Date: 12/23/2021

Stephanie Fong, *Acting Regional Manager*

Date Received for filing at OPR: _____